

Church Fenton Parish Council Minutes of the Ordinary Council Meeting

Minutes of the Ordinary Meeting of Church Fenton Parish Council held on Thursday 15 October 2020 as a Virtual remote meeting (due to Covid19 govt lockdown).

In attendance: Cllr Sam Charlston (Chair), Cllr Ross Higham, Cllr Andrew Mason, Cllr Chester, County Cllr Lee and District Cllr Musgrave. Georgina Ashton, Clerk. In addition 11 members of the public.

Meeting started at 7.30pm

64. To note Apologies and Approve Reasons for Absence
Apologies received from Cllr Craig Blakey (resignation received 15 October 2020), apologies received from Cllr Seguss, approved reasons for absence.

65. To note any Declarations of Interest and to approve any Dispensation requests
None declared.

66. Public Participation Period (no longer than 30 minutes)
Members of the public are politely reminded to speak for no more than 5 minutes.
No representations from members of the public.

67. Reports
District Councillor Musgrave – no new presentations to bring to the meeting. However, did explain that the BMX Track application on Busk Lane still has some outstanding information to be presented and is likely to go before Planning Committee before the end of the year. The Local Govt Reform letter was received on Friday 9 October and Councils have been invited to submit their proposals. This new alignment of local govt will be implemented in either May 2022 or May 2023. The current proposals include a County wide Unitary Council (proposed by NYCC) and the 7 District Councils have come together to make an alternative proposal to include an East / West Council, as well as York City Council. There will be a consultation at some stage to include Parish Councils but this has not yet been set. In terms of the Local Plan, papers will be in the public domain by January for the next stage of the Local Plan submission. Suggested to PC that they use this opportunity to respond and reply to the next round of consultations.
Cllr Chester joined at 7.34pm.

D Cllr Musgrave to speak to Caroline Skelly with regard to the proposed Conservation area.

County Councillor Lee - Spoken to the Officer i/c for Highway regarding the application 2020/0821/FUL. Clerk discussed some of the points raised by the Highways Officer site visit on 7 Oct 2020 with Cllr Seguss and the Clerk. The Clerk explained a variety of topics discussed including the staggered junction proposal; suggestion of the feasibility of a mini roundabout (however, likely issues with land space); road safety on Main Street, pinch point at the rear of the Village Hall (not a factor for consideration), visibility splays and the feasibility of an holistic approach looking at the current access road already granted and the current application; in terms of an alternative access road. Clerk to formalise report and send to Parish Councillors as well as County Cllr Lee and District Cllr Musgrave for consideration.

68. To approve Minutes of the Ordinary Meeting of Church Fenton Parish Council held on 17 September 2020
The minutes of the meeting were approved with no additional comments. The Council noted the resignation of Cllr Craig Blakey since the last meeting on 15 October 2020. The Clerk has notified SDC and a notice of vacancy will be publicly displayed in due course.

Resolved: that the Minutes of the Ordinary meeting held on 16 September 2020 were a true and accurate record.

69. Planning
a. Applications to be considered since the last meeting

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Date Received	Consultee deadline	Planning reference	Address	Details
16 September 2020	14 October 2020	2020/0904/S73	Adjacent to Bridge Close, Station Road	9 new houses, changes to conditions
11 September 2020	12 October 2020	2020/0995/S73	Sycamore Farm, Brackenhill Lane	Application to remove condition 02 from the original application (agricultural workers restriction)
21 September 2020		2020/1024/MAN2	Leeds East Airport, Busk Lane	Non material amendment for proposed erection of 124 dwellings

b. Applications **approved and declined**

c. Planning Decision Notices

2020/0795/HPA	Home/office extension to garage at Ardara, Main Street	Granted
2020/0737/COU	19 Fieldside Court, Church Fenton	Granted
2020/0850/MAN2	Elmfield House, Hall Lane	Granted
2020/0787/HPA	10 Laurel Farm Drive	Granted

d. To consider any Planning Enforcement Issues

e. To consider information regarding the Public Inquiry on 2017/0736/REMM

Appeal documents have now gone live on the Local Planning Authority Portal, APP/N2739/W/20/3258833 on the morning of 15 October 2020. Clerk has attended some training on the process of how a Public Inquiry works and spoken with the Principal Planning Officer, Fiona Ellwood. Initial concerns to be discussed asap as first deadline is 12 November 2020.

Resolution: To hold a meeting for discussion of the Public Inquiry process asap and in advance of 12 November 2020.

70. Policy

a. To Consider and adopt the following new policies

- (i) Appraisal Policy & Appraisal form templates – best practice priority
- (ii) Co-option Policy and Procedure – best practice priority
- (iii) Recording of Meetings Policy – best practice priority
- (iv) FOI Policy / FOI Vexatious Policy – best practice priority
- (v) Rules for Public Session – best practice priority
- (vi) Scheme of Delegation – best practice priority
- (vii) Example Committee Terms of Reference – statutory – approved and ratified by Council.
- (viii) Data Protection Policy
- (viii) Equal Opportunities Policy
- (x) Recruitment and Selection Policy – best practice priority
- (xi) Security Incident Policy – best practice priority
- (xii) Members Dispensation Log – best practice priority
- (xiii) Social Media Policy
- (xiii) Media Policy
- (xv) Anti-Harassment & Bullying Policy – best practice priority

Council discussed the Committee Terms of Reference and agreed to ratify this with a small amendment that committees will be reviewed as to their longevity at each Annual Council meeting. As the Council requires certain statutory and best practice policies in place, the Clerk has been writing these policies as an ongoing task. It was agreed that the Clerk will be <4 policies to be ratified at each meeting with the priority for the next meeting to include (ii), (iv), (v) and (xiii) from the list above.

Resolution: Committee Terms of Reference Policy to be adopted by the Council.

71. Staffing

- a. To note the 6 monthly Appraisal and review of work for the Clerk
Defer to the next meeting.

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72. Environment

a. Highways Sub group

To note Councillor report from the meeting with the Highways Officer, with ref to 2020/0821/FUL

This item was previously discussed under County Cllr reports at the start of the meeting. Clerk to formalise and circulate her notes into a report to Council.

To consider and note progress of Road Safety Trust application (Cllr Higham)

This was discussed and agreed that a new Highways Committee will be set up to strategize and establish the key priorities for road safety for the Parish Council with the involvement of some parishioners. Clerk to invite parishioners who have already declared a special interest in road safety in the parish.

Resolution: A Highways sub committee to be formed with the invitation to sit on this committee to be extended to local residents.

To note the outcome of the 95 Alive form and traffic survey conducted (Cllr Higham)

The Clerk explained the outcome of the speed safety data from the traffic survey taken on Busk Lane as follows: Data was obtained and analysed. The speed data obtained, indicated a mean (average) speed of 33/34 mph and an 85th percentile* of 39/40 mph. This is above the current 30mph speed limit. The speed data highlighted issues suitable for enforcement. This was passed to North Yorkshire Police for consideration. If a suitable site is located; any enforcement will be undertaken at times as identified by the data. This is currently awaiting to be tasked out to one of our safety camera officers, who will carry out the site assessment. This process has to pass certain legalities so it may take some time.

It was noted that the Clerk would write to residents who contributed to the 95 Alive form to see if they would be interested in getting involved with the Highways Committee (as described above). Clerk to add a reminder to the facebook page regarding the traffic survey results.

b. Graveyard Acquisition

Cllr Mason and the Clerk, met with Drax Cemetery and are in the process of generating a report and recommendation to Council. Cllr Mason also suggested that a working committee be set up with local residents and interested parties to progress this matter further.

c. Network Rail/HS2

To note correspondence regarding the HS2 Ltd Eastern leg update - Council received update from the Community Engagement team last week as follows: Earlier this year the Government made clear in its response to the Oakervee Review its commitment to Phase 2b of HS2, extending high-speed rail from the West Midlands to the North, ensuring we boost capacity, improve connectivity between our regions and share prosperity. As part of this, the Government plans to present an Integrated Rail Plan for the North and Midlands by the end of the year, informed by an assessment from the National Infrastructure Commission, which will look at how to deliver HS2 Phase 2b, Northern Powerhouse Rail, Midlands Rail Hub and other rail programmes better and more effectively. In the meantime, the Government has asked HS2 Ltd to pause work on the Eastern Leg. *Residents in the village have been contacted via a mail drop with this information.*

d. Public Rights of Way - *To note any updates on public footpaths within the Parish*

FP No7 – stile still broken – Cllr Charlston to report for a 2nd time to NYCC. Clerk to informally discuss with land owner to ascertain their obligation.

FP No3 – needs defining and signposting to prevent residents from roaming the entire field – contact the landowner to request that FP no3 is clearly defined. Clerk to write to the landowners.

e. To Consider the replacement of Bench on Busk Lane

A 3rd correspondence and recorded delivery letter sent to Mr Exley's business address with invoice for work and copy letters sent to CF address of Mr Exley and Stutton address for Mrs Exley.

Resolution: to send 4th letter instructing Mr Exley of a claim to be made through the Small Claims Court with attached invoice.

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f. To Consider a subscription to the Open Spaces Society

Suggestion came from a member of the public for the Parish Council to take on an Open Spaces Society annual subscription (cost of £45). Would provide a plethora of resources to support registering village green, green spaces, protecting our proposed conservation areas. The Open Spaces Society is Britain's oldest national conservation body. They can provide assistance to local communities so that they can safeguard their green spaces for future generations to enjoy. They also help defend open spaces against loss and pressures from development.

Resolution: Council agreed to take out a subscription for the Open Spaces Society.

73. Finance

a. RFO Finance Report

To approve the Bank Reconciliation to 5 October 2020 and to note budget monitor.

b. Payments

To consider and approve the invoices for the payment schedule from 1 September to 1 October 2020

c. To consider the communication from the Chair of the Village Hall Trustees and next steps.

The Parish Council received a correspondence on 1 Oct from the Chair of the Village Hall Trustees Charity. In essence, Dr Wrightson suggests that the PC need to clarify the west boundary of the Village Hall to safeguard the drainage system and gas pipe exposed to the west side of the building. Where the exact boundary lies needs to be clarified and the Clerk has nothing on file in writing to suggest that the neighbouring landowner has provided permission for "right of access" over their land in perpetuity. The Clerk recommends that legally, we need to have this permission and clarify our land boundary as this needs to be an amendment to our title deeds.

Cllr Chester discussed her report which had been previously circulated to Council earlier in the day. She made comments regarding the purchase and sale of adjacent land in the 1970s and that the PROW FPno4 is incorrectly positioned currently and should be aligned to be adjacent to the Village Hall. Cllr Chester suggested that the PC engage a solicitor to establish the facts. Discussion took place over being neighbourly to go back to the neighbouring landowners, with the primary interest to protect the asset of the village hall in perpetuity. In light of this current information, suggestion that the Council have a discussion with the landowners in the first instance to have a neighbourly discussion.

Resolution 1: Clerk and Chair to engage in a discussion with the neighbouring landowners to establish their stance on this land boundary/right of access.

Resolution 2: Clerk to investigate access to legal advice on this matter and costs involved.

74. To receive Representatives Reports

Cllr Mason – hand delivered the letter to landowners regarding FP no 17.

Cllr Higham – raised the point that as the longest serving Cllr has resigned, can the remaining Cllrs recognise his time on the Council with a card and a gift (from their own private funds). Cllr Higham to lead on this.

Cllr Charlston – Social media news that residents in Ulleskelf and CF to collate information on lorries and traffic through the 2 villages and report back to Ulleskelf Parish Council to either the Clerk's email address or via the facebook page.

75. To note Correspondence received (not specifically dealt with on this agenda)

i) Anonymous complaint received on 7 October 2020 – no comment from Cllr Higham

ii) Letter received from landowner 12 October 2020 – Cllr Charlston read out a letter received from landowners regarding their recent planning applications and concerns over how the PC have dealt with these applications. In addition, that recently it has been noted that members of the Parish Council have been seen in the field near to the Village Hall on several occasions. Cllr Charlston has already provided a written and verbal apology for any alleged trespass which has occurred.

iii) number of emails received from residents regarding the new access road application 2020/0821/FUL – Clerk reported that several correspondence have been received regarding this application and these have been directed to the LPA planning portal.

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iv) letter received from Clerk to the Chair 14 October 2020 – the Clerk read out a statement which she had sent to the Chair. This was surrounding her understanding that a complaint had been received by a Councillor and that this had not being properly dealt with following the Complaints Procedure as adopted by the Parish Council. The Clerk believes that this complaint has not come to a reasonable conclusion and in the process of sending a plethora of emails on this topic, the Councillor concerned has created a situation where the Clerk and the Councillor involved have been treated unfairly which could constitute a grievance by the Clerk to her employer (the Council).

v) email received from resident regarding the NH Plan. A resident has written to the PC requesting that additional information be added to the Neighbourhood Plan with regard to NYCC identified Wildlife Habitat area adjacent to the proposed BMX track on Busk Lane. Cllr Chester explained that is unfortunately, too late to add this to the finalised plan. However, will let the resident know that it will not be possible at this time to add this information, however once the NHP has been through it's final stage with the LPA that amendments and revisions can be made. Clerk to forward comments to Cllr Chester for potential future involvement in the ratified plan.

76. To note Agenda Items for

- a) Next meeting – Local Plan, Pay award for Lengthsman, Play Space provision & S1106/CIL spend. Highways, Graveyard acquisition, Govt Planning Reform, Covid19.
- b) Future meetings - Village Entrance boundary sign. Defibrillator purchase for redundant phone box. Budget variances & budget headings. Strategy Parish Plan. Covid19 Action Group. Streetlighting Consultation. Use of Survey Monkey for communication with Parishioners. Policy. Neighbourhood Plan submission. HS2. Devolution of District and County Council. ST1 Post box.

77. To confirm Date and time of next meeting – Thursday 26 November 2020 at 7:30pm, venue TBC